

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION**

In re ACCREDO HEALTH, INC.  
SECURITIES LITIGATION

Civil Action No. 03-CV-2216-BBD

This Document Relates To:

CLASS ACTION

ALL ACTIONS

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**DEFENDANTS' *DAUBERT* MOTION TO EXCLUDE THE EXPERT OPINIONS  
AND TESTIMONY OF DR. SCOTT D. HAKALA**

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Defendants Accredo Health, Inc. ("Accredo"), David D. Stevens, and Joel R. Kimbrough (collectively, "Defendants"), respectfully file this Motion pursuant to Federal Rule of Evidence 702 and *Daubert v. Merrell Dow Pharmaceuticals*, 509 U.S. 579, 113 S. Ct. 2786, 125 L. Ed. 2d 469 (1993) and move to exclude the expert reports and testimony of Plaintiffs' designated damages expert, Dr. Scott D. Hakala. As fully set forth in Defendants' Memorandum in Support of Their *Daubert* Motion to Exclude the Expert Opinions and Testimony of Dr. Scott D. Hakala, filed contemporaneously herewith, the Court should exclude all expert analysis, opinions and testimony provided by Dr. Hakala in this matter. Dr. Hakala's opinions are not relevant or reliable pursuant to Federal Rule of Evidence 702 and the standards of intellectual rigor required by *Daubert* and its progeny. Accordingly, Defendants request that this Court enter an Order striking the Expert Report of Scott D. Hakala, PH.D., CFA and the Rebuttal Report of Dr. Hakala (collectively, the "Reports") and precluding Dr. Hakala from providing any testimony, either in-person or by deposition, regarding the analysis and opinions embodied in the Reports.

Respectfully submitted this 8th day of September, 2008.

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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of the foregoing was forwarded *via* the Court's electronic filing system, this 8th day of September, 2008 to:

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